

## Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00  
DODE-00 DOTE-00 INR-07 NSAE-00 EPG-02 FAA-00 L-03  
NSC-05 SS-15 SSO-00 INRE-00 /054 W  
-----004460 191057Z /12

O 191044Z JUN 77  
FM AMEMBASSY LONDON  
TO WHITE HOUSE IMMEDIATE  
SECSTATE WASHDC IMMEDIATE 5241

C O N F I D E N T I A L SECTION 01 OF 02 LONDON 10097

WHITEHOUSE FOR JOHNSTON  
STATE FOR E, EB

PASS DOT (DAVENPORT, KAMM), CAB (KAHN, RODRIGUEZ)

E.O. 11652: GDS  
TAGS: EAIR, UK  
SUBJECT: US-UK CIVAIR NEGOTIATIONS: CAPACITY MECHANISM

REVISION VII OF US RENEG 8, PROPOSED CAPACITY PROCEDURES,  
PRESENTED TO UK AM JUNE 19, IS SAME AS REV VI WITH  
FOLLOWING CHANGES.

1. CHANGE 2ND PARA OF PREAMBLE TO READ:  
"THIS ADDENDUM IS DESIGNED TO PROVIDE A CONSULTATIVE  
PROCESS TO DEAL WITH EXCEPTIONAL CASES OF EXCESS PRO-  
VISION OF CAPACITY, WHILE INSURING THAT DESIGNATED AIR-  
LINES RETAIN ADEQUATE SCOPE FOR MANAGERIAL INITIATIVE  
IN ESTABLISHING SCHEDULES AND THAT THE OVERALL MARKET  
SHARE ACHIEVED BY EACH DESIGNATED AIRLINE WILL DEPEND  
UPON PASSENGER CHOICE RATHER THAN THE OPERATION OF ANY  
FORMULA OR LIMITATION MECHANISM. IN KEEPING WITH THESE  
OBJECTIVES, THE CONTRACTING PARTIES DESIRE TO AVOID  
OVERLY FREQUENT INVOCATION OF THE CONSULTATIVE MECHANISM  
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OR LIMITATION PROVISION IN ORDER NOT TO PLACE AN UNDUE  
BURDEN OF DETAILED SUPERVISION OF AIRLINE SCHEDULING  
ON THE CONTRACTING PARTIES."

2. CHANGE LAST SENTENCE OF PARA NUMBER 1 TO READ:  
"...ADJUSTMENTS IN SCHEDULES ARE LATER REQUIRED DUE TO..."

3. ADD FOLLOWING AT END OF PARA 1: "IF SUCH ADJUSTMENTS INVOLVE AN INCREASE IN FREQUENCY, SUCH INCREASE WILL BE SUBJECT TO THE APPROVAL OF THE OTHER CONTRACTING PARTY."
4. CHANGE 150 TO 120 IN 2ND SENTENCE OF PARA 2.

5. CHANGE PARA 4 TO READ: "IF NO AGREEMENT IS REACHED IN SUCH CONSULTATIONS PURSUANT TO PARAGRAPH 3 ABOVE, EACH DESIGNATED AIRLINE ON THE GATEWAY SEGMENT WHERE AN INCREASE IN FREQUENCY OF SERVICE HAS BEEN CALLED INTO QUESTION SHALL BE ENTITLED TO OPERATE DURING THE UPCOMING TRAFFIC SEASON THE SCHEDULE IT PROPOSES TO OPERATE, BUT NOT MORE THAN THE SUM OF (A) THE TOTAL NUMBER OF ROUNDTRIP COMBINATION FREQUENCIES OPERATED BY THAT AIRLINE ON THE GATEWAY ROUTE SEGMENT DURING THE PREVIOUS CORRESPONDING SEASON AND (B) SUCH ROUNDTRIP COMBINATION FREQUENCIES AS ARE DETERMINED BY APPLYING THE AVERAGE OF THE FORECAST PERCENTAGES MENTIONED IN PARAGRAPH 3 ABOVE TO THE TOTAL NUMBER OF ROUNDTRIP COMBINATION FREQUENCIES OPERATED BY THAT DESIGNATED AIRLINE ON THE GATEWAY ROUTE SEGMENT DURING THE PREVIOUS CORRESPONDING SEASON, BUT NO FEWER THAN 20 ROUNDTRIP COMBINATION FREQUENCIES DURING A SUMMER TRAFFIC SEASON OR 15 DURING A WINTER TRAFFIC SEASON. IN NO EVENT SHALL A DESIGNATED AIRLINE BE REQUIRED TO OPERATE FEWER

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C O N F I D E N T I A L SECTION 02 OF 02 LONDON 10097

THAN 120 ROUNDTRIP COMBINATION FREQUENCIES DURING A

SUMMER TRAFFIC SEASON OR 88 DURING A WINTER TRAFFIC SEASON."

6. DELETE PARA 5.

7. DELETE PARA 7.

8. CHANGE PARA 10 TO READ: "8. IN THE EVENT THAT EITHER CONTRACTING PARTY BELIEVES THAT THIS ADDENDUM IS NOT ACHIEVING THE OBJECTIVES SET FORTH IN THE INTRODUCTORY PARAGRAPH, THEY MAY CONSULT AT ANY TIME, PURSUANT TO ARTICLE 14 OF THE AGREEMENT, TO CONSIDER APPROPRIATE ALTERATIONS IN THE PROCEDURES OR NUMERICAL LIMITATIONS.

"9. THE PROVISIONS OF THIS ADDENDUM SHALL BE EFFECTIVE FOR A PERIOD OF FIVE YEARS. THE CONTRACTING PARTIES SHALL CONSULT DURING THE FIRST QUARTER OF THE FIFTH YEAR AFTER THIS ADDENDUM COMES INTO FORCE TO REVIEW ITS OPERATION AND TO DECIDE AS TO ITS EXTENSION OR REVISION. IF THE CONTRACTING PARTIES CANNOT REACH

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AGREEMENT ON EXTENSION OR REVISION, THIS ADDENDUM SHALL REMAIN IN FORCE FOR A FURTHER PERIOD OF TWO YEARS AFTER SUCH PERIOD OF FIVE YEARS."

9. IN PARA 3, DELETE PARENTHETICAL COMMENT.

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## Message Attributes

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